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NORTH CAROLINA. BOARD OF HEALTH.

LAW...GOVERNING THE SANITATION OF
RESTAURANTS AND OTHER FOOD ESTABLISHMENTS

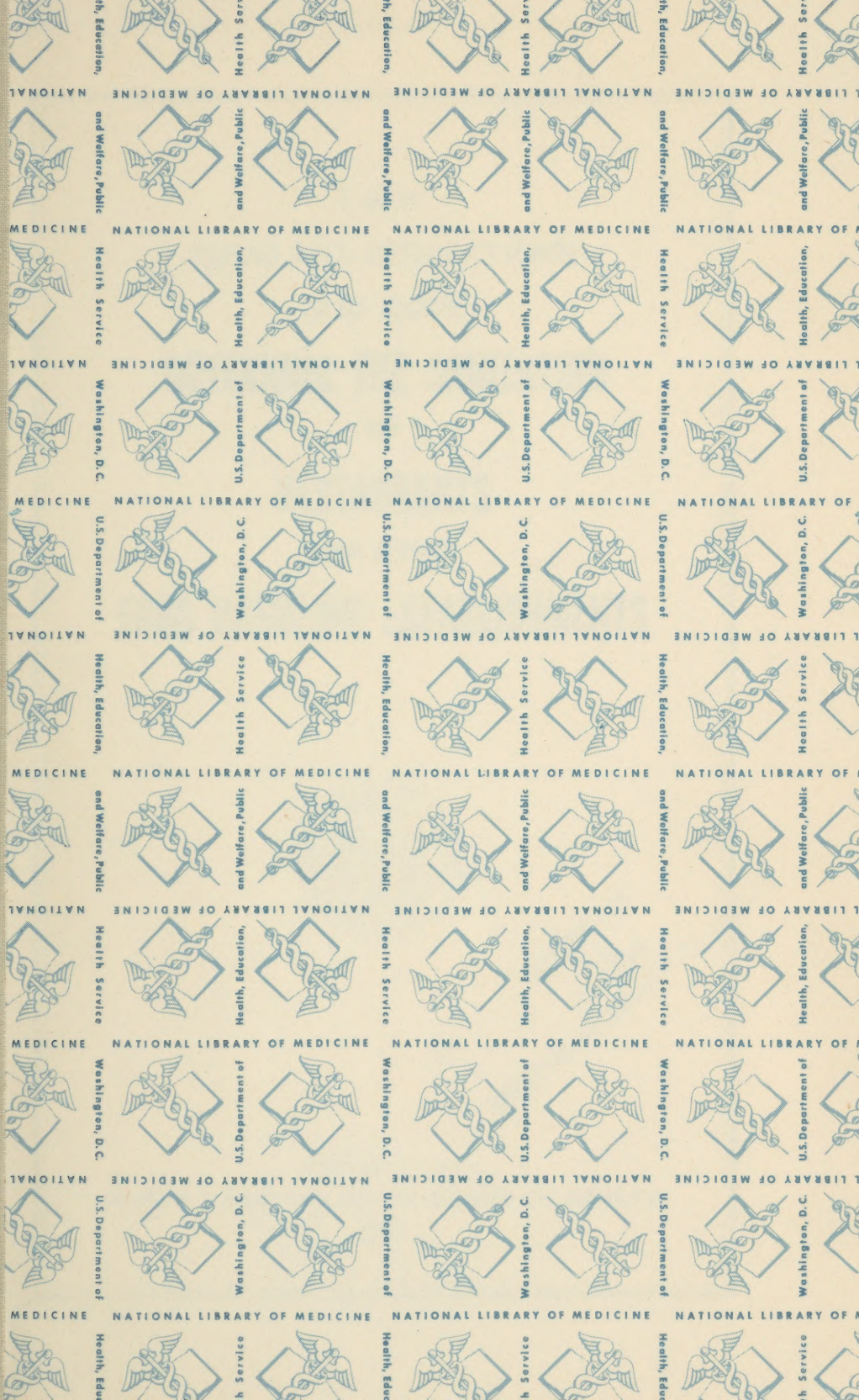
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LAW
RULES AND REGULATIONS
AND CODE
GOVERNING THE SANITATION
OF
RESTAURANTS
AND OTHER
FOOD HANDLING ESTABLISHMENTS



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AN ACT TO PROMOTE THE SANITATION OF HOTELS, CAFES, RESTAURANTS, TOURIST HOMES, TOURIST CAMPS, SUMMER CAMPS, AND ALL OTHER ESTABLISHMENTS PROVIDING FOOD AND LODGING TO THE PUBLIC FOR PAY.

Chapter 309, Public Laws of 1941.

The General Assembly of North Carolina do enact:

SECTION 1. For the better protection of the public health, the State Board of Health is hereby authorized, empowered, and directed to prepare and enforce rules and regulations governing the sanitation of hotels, cafes, restaurants, tourist homes, tourist camps, summer camps, lunch and drink stands, sandwich manufacturing establishments, and all other establishments where food is prepared, handled, and served to the public at wholesale or retail for pay, or where transient guests are served food or provided with lodging for pay. The State Board of Health is also authorized, empowered, and directed to prepare a system of grading all such places, and no such establishment shall operate which receives a grade less than C.

SECTION 2. The officers, sanitarians or agents of the State Board of Health are hereby empowered and authorized to enter any hotel, cafe, restaurant, tourist home, tourist camp, summer camp, lunch and drink stand, sandwich manufacturing establishment, and all other establishments where food is prepared, handled or served to the public at wholesale or retail for pay, or where transient guests are served food or provided lodging for pay, for the purpose of making inspections, and it is hereby made the duty of every person responsible for the management or control of such hotel, cafe, restaurant, tourist home, tourist camp, summer camp, lunch and drink stand, sandwich manufacturing establishment, or other establishment to afford free access to every part of such establishment, and to render all aid and assistance necessary to enable the sanitarians or agents of the State Board of Health to make a full, thorough, and complete examination thereof, but the privacy of no person shall be violated without his or her consent. It shall be the duty of the sanitarian or agent of the State Board of Health to leave with the management, or person in charge at the time of the inspection, a copy of his inspection and a grade card showing the grade of such place, and it shall be the duty of the management, or person in charge, to post said card in a conspicuous place where it may be readily observed by the public. Such grade card shall

not be removed by anyone, except an authorized sanitarian or agent of the State Board of Health, or upon his instruction.

SECTION 3. Any owner, manager, agent, or person in charge of a hotel, cafe, restaurant, tourist home, tourist camp, summer camp, lunch and drink stand, sandwich manufacturing establishment, or any other establishment where food is prepared, handled, or served to the public at wholesale or retail for pay, or where transient guests are served food or provided with lodging for pay, or any other person who shall willfully obstruct, hinder, or interfere with a sanitarian, agent, or officer of the State Board of Health in the proper discharge of his duty, or who shall be found guilty of violating any of the other provisions of this Act, or any of the rules and regulations that may be provided under this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten (\$10.00) dollars, nor more than fifty (\$50.00) dollars, or imprisoned for not more than thirty days, and each day that he shall fail to comply with this Act, or operate a place with a rating of less than a grade of C shall be a separate offense.

SECTION 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

SECTION 5. This Act shall be in full force from and after its ratification. Ratified this 15th day of March, 1941.

For the purpose of carrying out the requirements of Chapter 309, Public Laws of 1941, the State Board of Health has prepared and adopted the following:

RULES AND REGULATIONS DEFINING RESTAURANT, ITINERANT RESTAURANT, EMPLOYEE, HEALTH OFFICER, ETC., REQUIRING PERMITS FOR THE OPERATION OF SUCH ESTABLISHMENTS, REGULATING THE INSPECTION, GRADING, AND PLACARDING OF SUCH ESTABLISHMENTS, AND THE ENFORCEMENT AND INTERPRETATION OF THESE RULES AND REGULATIONS.

SECTION 1. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules and regulations:

A. *Restaurant.* The term "restaurant" shall mean restaurant, coffee shop, cafeteria, short order cafe, luncheonette, tavern, sandwich stand, soda fountain, drink stand, and all other public eating establishments where food is prepared, handled, and served to the public at wholesale or retail for pay, as well as kitchens and other places in which food is handled or prepared for sale elsewhere to the public.

B. *Itinerant Restaurant.* The term "itinerant restaurant" shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

C. *Employee.* The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed at any time in a room in which food or drink is prepared or served.

D. *Eating and Cooking Utensils.* "Eating and cooking utensils" shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

E. *State Board of Health.* The term "State Board of Health" shall mean the State Health Officer, or his authorized representatives.

F. *Inspector.* The term "inspector" shall mean any authorized representative of the State Board of Health.

G. *Person.* The word "person" shall mean person, firm, corporation, or association.

SECTION 2. Permits. No person shall operate a restaurant within the state of North Carolina who does not possess an unrevoked permit from the State Board of Health. No permits to operate shall be issued until a sanitary inspection by a representative of the State Board of Health shows that the restaurant complies with these rules and regulations. Application for such inspections shall be made in writing by the person submitting the application. All permits shall be posted in a conspicuous place in the restaurant.

Violations of any of these rules and regulations, or failure to receive a sanitary rating of at least 70%, or Grade C, shall be sufficient cause for revoking the permit. No permit to operate shall be issued or re-issued until the restaurant has been inspected or reinspected, and approved by a representative of the State Board of Health.

SECTION 3. Placarding or Public Display of Grade Notice. Every restaurant shall display the grade card given by the inspector at the time of the inspection. This grade card shall be displayed at all times in a conspicuous place approved by the inspector.

SECTION 4. Re-inspections. When more than one inspection of a restaurant is made in any one year, the State Board of Health shall issue a new grade card, and upon the receipt of the new grade card, the proprietor or manager of the restaurant shall remove and destroy the grade card previously issued, and replace it with the later grade card. Upon written request on the part of the management, a re-inspection may be made, provided that when a restaurant receives a rating of 70%, or more, (Grade C) a visit for consultation or advice may be made by a representative of the State Board of Health at any time, but a re-inspection for the purpose of raising the grade shall not be made within 30 days. In the case of restaurants that are closed, or have a rating of less than 70%, an examination or a survey shall be made upon written request of the proprietor or manager of the restaurant at the earliest convenience of the inspector to consider the issuance or re-issuance of a permit, but no inspection shall be made for the purpose of establishing a grade for any restaurant until and unless the restaurant shall have been in operation for at least two weeks.

SECTION 5. Publishing Grades. At least twice annually, or whenever a survey of restaurants has been completed, the grades shall be published.

SECTION 6. Grading of Restaurants. The sanitation of all restaurants shall be based on a system of grading wherein all restaurants receiving a rating of at least 90%, or more, shall be

awarded Grade A; all restaurants receiving a rating of at least 80%, and less than 90%, shall be awarded Grade B, and all restaurants receiving a rating of at least 70%, and less than 80%, shall be awarded Grade C, and no restaurant receiving a rating of less than 70%, or Grade C, shall operate. The rating and grading of all restaurants shall be based upon the following standards of construction and operation:

ITEM 1. *Floors.* The floors of all rooms in which food is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

ITEM 2. *Walls and Ceilings.* Walls and ceilings of all rooms in which food is stored, prepared, or served shall be kept clean and in good repair. All walls and ceilings of rooms in which food is stored or prepared shall be finished in light color. The walls of all rooms in which food is prepared or utensils are washed shall have a smooth, washable surface.

ITEM 3. *Doors and Windows.* When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

ITEM 4. *Lighting.* All rooms in which food is stored, prepared, or served, and in which utensils are washed, shall be well lighted.

ITEM 5. *Ventilation.* All rooms in which food is stored, prepared, or served, and in which utensils are washed, shall be well ventilated.

ITEM 6. *Toilet Facilities.* Every restaurant shall be provided with adequate toilet facilities conveniently located, readily accessible at all business hours, and conforming with the North Carolina Building Code. In restaurants hereafter constructed, toilet rooms shall not open directly into any kitchen, or pantry, or into any room in which utensils are washed or stored. The area of intervening rooms shall be not less than 18 square feet, and those rooms shall be constructed and maintained in a manner comparable to the toilet rooms. The doors of all toilet rooms shall be self-closing. Toilet rooms and fixtures shall be kept in a clean condition, in good repair, and the rooms well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. Where a water-carried sewerage system is not available, sanitary privies constructed and maintained in accordance with the requirements of the State Board of Health will be acceptable.

ITEM 7. *Water Supply.* The water supply shall be easily accessible to all rooms in which food is prepared or utensils are washed, and shall be adequate, and of a safe, sanitary quality. Hot and cold running water shall be provided for the washing of utensils.

ITEM 8. *Drinking Water Facilities.* Facilities for the dispensing of drinking water shall be of a design approved by the State Board of Health. If water-cooling equipment is installed, it shall be of a type in which ice does not come in contact with the water. Common dippers or common drinking glasses or cups shall not be used.

ITEM 9. *Storage, Handling, and Use of Ice.* Ice which is to be used in fountain drinks, iced water, tea, and coffee, or in connection with the chilling or serving of salads, vegetables, or cocktails shall be stored and handled in a sanitary manner.

ITEM 10. *Lavatory Facilities.* Adequate and convenient hand-washing facilities, including warm water, soap, and approved sanitary towels shall be provided. No employee shall resume work after using the toilet room without first washing his hands.

ITEM 11. *Construction of Utensils and Equipment.* All eating and cooking utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned, and shall be kept in good repair.

ITEM 12. *Cupboards and Other Storage Spaces.* Cupboards and other storage spaces shall be kept clean, and free from offensive or musty odors. The contents shall be neatly arranged.

ITEM 13. *Cleaning and Bactericidal Treatment of Equipment and Utensils.* All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single service containers shall be used only once.

All dishes, knives, forks, spoons, drinking glasses, cups, and other eating and drinking utensils shall be thoroughly washed and subjected to an approved bactericidal process after each usage. All multi-use utensils, such as mixing bowls, cream pumps, stock pots, and other utensils used in the preparation, cooking, or serving of food and drink shall be thoroughly cleaned and subjected to an approved bactericidal process immediately

after the day's operations. Drying cloths, if used, shall be kept clean, and shall be used for no other purpose.

The means of dishwashing shall consist of an approved dishwashing machine, or a double vat sink of impervious material connected directly to the city sewer, or other approved sewer, in accordance with the North Carolina Building Code. Drain boards of sufficient size to adequately accommodate the dishes shall be provided at each end of the sink, or dishwashing machine. An approved means of heating an ample supply of running water shall be installed, and connections shall be made so that each vat may receive hot and cold water service. Where single service utensils are used exclusively, a one-compartment sink may be accepted.

ITEM 14. *Storage and Handling of Utensils and Equipment.* After bactericidal treatment, no utensil shall be stored except in a clean, dry place protected from flies, dust, or other contamination, and no utensil shall be handled except in such a manner as to prevent contamination, as far as practicable. Single-service utensils shall be purchased only in sanitary containers, and shall be stored therein in a clean, dry place until used.

ITEM 15. *Disposal of Wastes.* All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.

ITEM 16. *Refrigeration.* All readily perishable food or drink shall be kept at or below 50° F., except when being prepared or served. Waste water from refrigeration equipment shall discharge into an open sink or drain, properly trapped and sewer connected, provided that where sewer connections are not available, clean, adequate, water-tight drip pans may be used.

ITEM 17. *Milk and Milk Products.* Where available, "Grade A" milk products shall be used. The term "milk products" shall be construed to mean and include sweet milk, buttermilk, cultured buttermilk, cream, and chocolate milk. These products shall be served in the original containers in which they were received from the distributor, so that the name and grade of the contents, and the name of the producer or distributor may be readily observed by the consumers. Where two or more grades of milk are used, or found on the premises, for the purpose of scoring and rating, the lowest grade only shall be considered. Milk products shall be stored in a sanitary manner and shall be kept refrigerated, except when being served. Bottles shall not be completely submerged in water.

ITEM 18. *Wholesomeness of Food.* All food shall be wholesome and free from spoilage. Food that is spoiled, or unfit for human consumption, shall not be kept on the premises.

ITEM 19. *Sources of Shellfish.* Any restaurant serving oysters, clams, or crabmeat shall secure the same from establishments approved by the State Board of Health, or the United States Public Health Service.

ITEM 20. *Re-serving of Food.* Portions of food once served to customers shall not be served again.

ITEM 21. *Storage, Handling, and Display of Food.* All food shall be so stored, handled, and displayed as to be protected from dust, flies, vermin, handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or allowed in any room in which food is prepared or stored. All means necessary for the elimination of flies, rats, and roaches shall be used.

ITEM 22. *Health Certificates.* The management shall keep on file a medical certificate given by a physician or health officer for every cook, waiter, dish washer, or handler of food or drink employed in the restaurant, showing that the employee is free from tuberculosis, syphilis, gonorrhea, skin diseases, and is not a typhoid carrier. Such certificate shall have been issued within twelve months of the date of inspection. A permit from the health officer shall be required before any employee begins work. Certificates issued by private physicians shall be presented to the health officer before such permit to work shall be issued.

ITEM 23. *Cleanliness of Employees.* All employees shall wear clean outer garments, and shall keep their hands clean at all times while handling food, drink, utensils, or equipment.

ITEM 24. *Miscellaneous.* Waste material, obsolete and unnecessary articles, tin cans, rubbish, and other litter shall not be permitted to accumulate on the premises of the restaurant. Cisterns or other receptacles containing standing water shall be kept tightly covered or screened. There shall be no fly and mosquito breeding places, nor rat harborages, hog pens, or undrained areas on the premises. The surroundings of all restaurants shall be maintained in a neat, orderly, and sanitary condition.

None of the operations connected with a restaurant shall be conducted in any room used for domestic purposes. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of eating or cooking utensils.

SECTION 7. Notification of Disease. Notice shall be sent to the Health Officer immediately by the restaurant manager, or by

the employee concerned, if he or any employee contracts any infectious, contagious, or communicable disease, or has a fever, a skin eruption, a cough lasting more than 3 weeks, or any other suspicious symptom. It shall be the duty of any such employee to notify the restaurant manager immediately when any of said conditions obtain, and if neither the manager nor the employee concerned notifies the Health Officer immediately when any of said conditions obtain, they shall be held jointly and severally to have violated this section. A placard containing this section shall be posted in all toilet rooms used by employees, or dressing rooms or kitchens.

SECTION 8. Procedure When Infection Suspected. When suspicion arises as to the possibility of transmission of infection from any restaurant employee, the Health Officer is authorized to require any or all of the following measures: (1) the immediate exclusion of the employee from all restaurants; (2) the immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Health Officer; (3) adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

The foregoing rules and regulations in regard to restaurants were adopted at a meeting of the State Board of Health, May 21, 1941, at Pinehurst, North Carolina.

CARL V. REYNOLDS, M.D.
Secretary and State Health Officer
State Board of Health
Raleigh, N. C.

NORTH CAROLINA RESTAURANT CODE

(To be used as the legal interpretation of these rules and regulations)

RULES AND REGULATIONS DEFINING RESTAURANT, ITINERANT RESTAURANT, EMPLOYEE, HEALTH OFFICER, ETC., REQUIRING PERMITS FOR THE OPERATION OF SUCH ESTABLISHMENTS, REGULATING THE INSPECTION, GRADING AND PLACARDING OF SUCH ESTABLISHMENTS, AND THE ENFORCEMENT AND INTERPRETATION OF THESE RULES AND REGULATIONS.

SECTION 1. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules and regulations:

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B. *Itinerant Restaurant.* The term "itinerant restaurant" shall mean one operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

C. *Employee.* The term "employee" shall mean any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed at any time in a room in which food or drink is prepared or served.

D. *Eating and Cooking Utensils.* "Eating and cooking utensils" shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

E. *State Board of Health.* The term "State Board of Health" shall mean the State Health Officer, or his authorized representatives.

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Violations of any of these rules and regulations, or failure to receive a sanitary rating of at least 70% or Grade C, shall be sufficient cause for revoking the permit. No permit to operate shall be issued or re-issued until the restaurant has been inspected or re-inspected and approved by a representative of the State Board of Health.

SECTION 3. Placarding or public display of Grade Notice. Every restaurant shall display the grade card given by the inspector at the time of the inspection. This grade card shall be displayed at all times in a conspicuous place approved by the inspector.

SECTION 4. Reinspections. When more than one inspection of a restaurant is made in any one year, the State Board of Health shall issue a new grade card, and upon the receipt of the new grade card, the proprietor or manager of the restaurant shall remove and destroy the grade card previously issued, and replace it with the later grade card. Upon written request on the part of the management, a re-inspection may be had, provided that when a restaurant receives a rating of 70%, or more, (Grade C) a visit for consultation or advice may be made by a representative of the State Board of Health at any time, but a re-inspection for the purpose of raising the grade shall not be made within 30 days. In the case of restaurants that are closed, or have a rating of less than 70%, an examination or a survey shall be made upon written request of the proprietor or manager of the restaurant at the earliest convenience of the inspector, to consider the issuance or re-issuance of a permit but no inspection shall be made for the purpose of establishing a grade for any restaurant until and unless the restaurant shall have been in operation for at least two weeks.

SECTION 5. Publishing Grades. At least twice yearly, or whenever a survey of restaurants has been completed, the grades shall be published.

SECTION 6. Grading of Restaurants. The sanitation of all restaurants shall be based on a system of grading wherein all restaurants receiving a rating of at least 90% or more shall be

awarded Grade A; all restaurants receiving a rating of at least 80% and less than 90% shall be awarded Grade B, and all restaurants receiving a rating of at least 70% but less than 80% shall be awarded Grade C, and no restaurant receiving a rating of less than 70% or Grade C shall operate. The rating and grading of all restaurants shall be based upon the following standards of construction and operation:

ITEM 1. Floors. The floors of all rooms in which food is stored, prepared, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth, and shall be kept clean and in good repair.

Public Health Reason: Properly constructed floors which are in good repair can be more easily kept clean than improperly constructed floors. Floors that are free of sawdust, shavings, ragged linoleum, and other litter are more likely to be kept clean. Open joints, cracks, easily disintegrated material, and rough concrete are not only difficult to keep clean, but give a bad appearance. Tightly constructed floors of tongue and groove material, concrete or equal, maintained in good repair, and kept clean, are conducive to clean food handling operations.

Satisfactory Compliance: This item shall be deemed to have been satisfied:

(1) When the floors of all rooms in which food is stored, prepared, or served are of such construction as to be easily cleaned, and are smooth and in good repair. Floors may be of concrete, terrazzo, tile, wood covered with linoleum, or tightly laid tongue and groove lumber.

(2) When the floors are kept clean during the hours of preparing, cooking, and serving of food. Floors shall be kept free not only of organic filth, but also of litter, ragged linoleum, sawdust, and obsolete and unnecessary items of storage.

Note: It is recommended that all necessary storage be placed on shelves or benches, or otherwise stored so as to be at least 12" above the floor, in order that the floor may at all times be clear for thorough cleaning.

(3) When joints at walls and floors are rounded, or provided with tight molding to avoid open cracks, and when pipe lines through floors, walls, and ceilings are tightly fitted, or provided with metal collars to avoid openings, and are not laid on the floor surface so as to impede proper cleaning.

ITEM 2. Walls and Ceilings. Walls and ceilings of all rooms in which food is stored, prepared, or served shall be kept clean and in good repair. All walls and ceilings of rooms in which food is stored or prepared shall be finished in light color. The

walls of all rooms in which food is prepared or utensils are washed shall have a smooth, washable surface.

Public Health Reason: Painted or otherwise properly finished walls and ceilings are more easily kept clean, and are, therefore, more likely to be kept clean. A light-colored paint or finish aids in the even distribution of light, and the detection of unclean conditions. Clean walls and ceilings are conducive to clean food-handling operations.

Satisfactory Compliance: This item shall be deemed to have been satisfied:

(1) When walls and ceilings of kitchens and dining rooms are constructed of tile, metal, smooth plaster, tight wood, or equal, and are in good repair.

(2) When the walls and ceilings are clean and have been finished or painted with a light-colored, washable paint at least annually, or more often if necessary, and are maintained in a manner approved by the State Board of Health.

(3) When the lower part of the wall, exposed to splash or spray from dishwashing vats or machines, is protected by a smooth, washable, impervious surface, such as tile or metal.

(4) When the walls and ceilings are free of grease marks, dirt, dust, filth, and cobwebs. Torn and ragged wallpaper, broken wall board, wooden walls with open cracks, excessive calendars, advertising posters, streamers, and other unused and unnecessary articles of decoration on or behind which dust and dirt may accumulate shall be deemed a violation of this item.

ITEM 3. Doors and Windows. When flies are prevalent, all openings into the outer air shall be effectively screened and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

Public Health Reason: Flies may contaminate the food, tables, utensils, and equipment with disease organisms, thus nullifying other public health safeguards.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) The doors, windows, and other outside openings are effectively screened with at least 16-mesh wire screening, and

(2) All screen doors are self-closing, open outward, and are in good repair, or

(3) Fans, together with half-length screen doors, may be accepted, provided they are found effective, and are continually operated while the establishment is open for business, or

(4) Flies are absent.

(5) All window and door screens are tight-fitting, and free from holes through which flies may enter. Sky-lights, vent pipes, and transoms must be well screened and fly-tight.

This section must be complied with from April 1 to December 1.

ITEM 4. *Lighting.* All rooms in which food is stored, prepared, or served, and in which utensils are washed, shall be well lighted.

Public Health Reason: Ample light, either natural or artificial, reasonably well distributed to points of important activities, promotes better methods of food handling and cleanliness.

Satisfactory Compliance: This item shall be deemed to have been satisfied:

(1) When the window area or effective sky-light area of all kitchens and dining rooms is at least one-tenth of the floor area, or when artificial lighting, adequate for the necessary operations, is provided.

(2) When the windows are clean and in good repair.

(3) When all pantries and storage rooms are adequately lighted.

ITEM 5. *Ventilation.* All rooms in which food is stored, prepared, or served, and in which utensils are washed, shall be well ventilated.

Public Health Reason: Windows, vented sky-lights, ventilating fans, and range hoods reduce odors, prevent undue condensation from cooking operations, and add to the comfort of guests and employees.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) The window area or effective ventilating sky-light area in all kitchens and dining rooms equals at least one-tenth of the floor area, or if some other satisfactory ventilating system is provided.

(2) Effective ventilating fans or range hoods, or both, are provided where necessary to eliminate excessive grease, smoke, or odors.

(3) Range hoods and the area around all ventilating fans are kept free of accumulated grease and soot.

(4) Pantries and other storage rooms are ventilated sufficiently to prevent disagreeable odors.

ITEM 6. *Toilet Facilities.* Every restaurant shall be provided with adequate toilet facilities conveniently located, readily accessible at all business hours, and conforming with the North Carolina Building Code. In restaurants hereafter constructed,

toilet rooms shall not open directly into any kitchen, or pantry, or into any room in which utensils are washed or stored. The area of intervening rooms shall be not less than 18 square feet, and these rooms shall be constructed and maintained in a manner comparable to the toilet rooms. The doors of all toilet rooms shall be self-closing. Toilet rooms and fixtures shall be kept in a clean condition, in good repair, and the rooms well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. Where a water-carried sewerage system is not available, sanitary privies constructed and maintained in accordance with the requirements of the State Board of Health will be acceptable.

Public Health Reason: The sanitary disposal of human excreta is necessary to the prevention of the spread of filth-borne diseases. Conveniently located and properly maintained toilet rooms with adequate facilities are necessary for the comfort and personal health of the employees and guests. It is essential that the toilet rooms be accessible to the guests and employees, and that the commodes and other facilities be kept clean and in good repair to promote their use. Clean facilities reduce the likelihood of disease-producing organisms from body wastes being transmitted to the food handling operations by flies from toilets.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) Adequate toilet facilities, conveniently located and complying with the North Carolina Building Code, are provided for guests and employees. In the case of new, or remodeled restaurants, separate toilet facilities for each sex and race employed or served shall be provided.

(2) The toilet rooms do not open directly into any storage room, pantry, or kitchen, or in case of new construction shall not open directly into the dining room.

(3) The floor area equals at least 18 square feet for the first commode, and 10 square feet for each additional commode.

(4) The floors, walls, and ceilings of the toilet rooms are constructed of smooth, non-absorbent, washable materials, and are maintained in good repair.

(5) The walls and ceilings are painted with a light-colored, washable paint at least annually, or as often as may be necessary, or otherwise finished in a manner approved by the State Board of Health.

(6) The floors, fixtures, walls, and ceilings are kept clean, in good repair, and free from extraneous or contaminating materials.

(7) The toilet rooms are well ventilated, preferably by means of a window to the outside air; however, where it is impracticable

to install a window, a screened metal vent of at least 8 inches in diameter extending to the outside air, may be accepted.

(8) Ample artificial light is provided in the toilet.

(9) Toilet room doors are self-closing and fly-tight.

(10) An approved earth pit privy constructed and operated in accordance with the requirements of the State Board of Health may be accepted, if water-carried sewerage facilities, public or private, are not available.

(11) Durable, legible signs are posted, or stenciled conspicuously in each toilet room directing employees to wash their hands before returning to work.

(12) The toilet room, stool, etc., are kept clean, sanitary, in good repair, and free from flies.

A booth open at the top shall not qualify as a toilet room, or vestibule.

ITEM 7. Water Supply. The water supply shall be easily accessible to all rooms in which food is prepared or utensils are washed, and shall be adequate, and of a safe, sanitary quality. Hot and cold running water shall be provided for the washing of utensils.

Public Health Reason: It is essential that the water supply be of a safe, sanitary quality, in order to be suitable for human consumption and to avoid the contamination of food and utensils. It should be adequate and accessible so as to enable its liberal use in the thorough cleansing and rinsing of utensils, equipment, etc.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) The water used is secured from an approved public water supply.

(2) The water supply is secured from an approved private well, spring, or other source not considered dangerous, or potentially dangerous, as determined by a sanitary survey by a representative of the State Board of Health, and by a bacteriological examination of one or more samples of water by the State Laboratory of Hygiene within the preceding six months.

(3) In case of a private water supply, it is constructed, maintained, and operated in accordance with the requirements of the State Board of Health. (See State Board of Health Bulletin on Private Water Supplies.)

(4) No cross-connections with unapproved water supplies are found to exist.

ITEM 8. Drinking Water Facilities. Facilities for the dispensing of drinking water shall be of a design approved by the State Board of Health. If water-cooling equipment is installed,

it shall be of a type in which ice does not come in contact with the water. Common dippers or common drinking glasses or cups shall not be used.

Public Health Reason: An adequate supply of safe water has been required by ITEM 7, but the water may be contaminated through insanitary dispensing methods; therefore, approved methods and equipment for dispensing are necessary.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) A satisfactory glass-filler is provided which does not depend upon pressure from the rim of the glass for its operation. An ordinary faucet which is not leaking around the valve stem may be approved.

(2) In case drinking facilities are provided in addition to table service, an approved angle-jet drinking fountain, or other facilities at least equivalent to a faucet, or glass filler, and individual glasses or single-service cups shall be required.

(3) No water cooler is used in which ice comes in contact with the drinking water.

(4) Drinking glasses or cups, after use, are not used by another person until after having been thoroughly washed and subjected to bactericidal treatment.

This item shall not be interpreted as requiring the cooling of water.

ITEM 9. *Storage, Handling, and Use of Ice.* *Ice which is to be used in fountain drinks, iced water, tea, and coffee, or in connection with the chilling or serving of salads, vegetables, or cocktails shall be stored and handled in a sanitary manner.*

Public Health Reason: Ice which is used in drinks, or which comes in contact with food, provides a source of potential contamination when handled in an insanitary manner.

Satisfactory Compliance: This item may be deemed to have been satisfied if:

(1) Storage boxes are covered, located away from sources of contamination, maintained in good repair, and kept clean.

(2) Ice grinders, pans, and buckets used in preparing chipped or crushed ice are thoroughly cleaned between usages and kept in good repair.

(3) All ice is washed before preparation and serving.

(4) Ice is put into glasses or other containers with a scoop, spoon, or other approved method.

(5) Fountain ice compartments, bowls, buckets, or other containers are frequently washed and kept free of scum, rust, and

are protected from drip, dust, cleaning operations, and other sources of pollution.

(6) Ice shall not be received, used, or accepted in a restaurant unless it is handled and transported in a sanitary manner.

ITEM 10. Lavatory Facilities. Adequate and convenient hand-washing facilities, including warm water, soap, and approved sanitary towels, shall be provided. No employee shall resume work after using the toilet room without first washing his hands.

Public Health Reason: The use of washing facilities is essential to personal cleanliness and to the clean handling of food. The public, as well as employees, should be provided with adequate conveniences for hand-washing. Lavatories should be located near the toilets, and should be convenient and accessible to the public, in order to promote higher standards of personal cleanliness, and public health.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) At least one lavatory is provided in a place convenient and accessible to the patrons and employees. This location may be in a wash room, or in the dining room, and appropriate signs should direct the public to its location.

(2) Soap and individual towels, either cloth or paper, are supplied at each lavatory at all times.

(3) The lavatory is installed according to standard plumbing practice, as specified by the North Carolina Building Code, and provided further that, where a sewerage system is not available, the lavatory wastes shall be conducted away from the building in an approved manner.

(4) The wash room or immediate area in which the lavatory is located is not used for miscellaneous storage.

(5) The lavatory walls, ceilings, and floors of the wash room are kept clean.

(6) The lavatory location has adequate light to facilitate its use.

(7) In the case of new or remodeled restaurants, lavatories shall be supplied with both warm and cold running water. Dish-washing vats shall not be accepted as washing facilities for personnel.

ITEM 11. Construction of Utensils and Equipment. All eating and cooking utensils and all show and display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the

operation of a restaurant shall be so constructed as to be easily cleaned, and shall be kept in good repair.

Public Health Reason: If the equipment is not so constructed that it can be easily cleaned, and is not kept in good repair, it is not likely that it will be properly cleaned. Pots, pans, platters, mixing bowls, and other utensils which contain open seams, cracks, chipped enamel, inaccessible grooves and corners are capable of holding bacteria, slime, grease, and other organic matter, and are, therefore, obstacles to safe food handling.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) All surfaces with which food or drink comes in contact consist of smooth, not readily corrodible material, and are easily accessible for cleaning.

(2) All surfaces with which food or drink comes in contact are in good repair, free of breaks, corrosion, open seams, cracks, and chipped places, and if there are no chipped or cracked dishes, and no bent or rusty silverware.

(3) All display cases, windows, counters, shelves, tables, refrigerators, stoves, hoods, and other equipment are so constructed as to be easily cleaned, and are in good repair, and if:

(a) All kitchen tables on which food is prepared, or on which equipment or food is stored, are constructed of impervious material, such as stainless steel, galvanized metal, zinc, marble slabs, or tight wood in which there are no open cracks or joints that will collect food particles and slime. All dining room tables or counters on which food is served are of sound construction, smooth, free from open seams, cracks, breaks, and worn places in which food particles and dirt may collect, and are finished in a manner conducive to easy cleaning. Tables and counters may be accepted if covered with masonite, linoleum, or their equal, and if the covering is in good repair. Table linen is kept clean and in good repair. No oil cloth, cardboard, or paper is used on tables and counters.

(b) The shelves are not covered with paper, cardboard, oil cloth, or other absorbent material, and are constructed free of cracks in which food particles and dirt may accumulate, and in which roaches may harbor.

(c) Refrigerators and ice boxes are of such size and construction that the shelves, racks, walls, and floors may be kept clean. Ice boxes shall be provided with proper drains and impervious linings, with all seams soldered flush. Refrigerators and ice boxes shall, at all times, be kept in good repair.

(d) Stoves, hoods, dishwashing vats, sinks, steam tables, grills, soda fountains, pumps, and other equipment shall be constructed

of such material and in such manner that they may be easily cleaned, and shall be kept in good repair.

ITEM 12. Cupboards and Other Storage Spaces. Cupboards and other storage spaces shall be kept clean and free from offensive or musty odors. The contents shall be neatly arranged.

Public Health Reason: Pantries and cupboards that are not kept clean, and in which the storage is in disorder, encourage the harboring of rats, mice, roaches, and the accumulation of filth to the extent that fruits and other foods stored therein cannot be kept in a clean, safe, and satisfactory condition.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) Cupboards and other storage spaces are so constructed, ventilated, lighted, and arranged that they can be maintained in a clean, orderly manner.

(2) Cupboards and storage spaces are clean.

(3) No dirty towels, rags, unused equipment, miscellaneous obsolete articles are stored in cabinets, cupboards, drawers, or pantries.

(4) The contents of cupboards and storage spaces are neatly arranged.

In order that the provisions of this item may be more effectively carried out:

(a) All storage should be at least 15" above the floor.

(b) Dry beans, grits, flour, sugar, and similar food products should be stored in covered galvanized iron cans.

(c) Shelves should be constructed approximately 1" from the wall, unless tightly stripped to eliminate cracks for roaches.

(d) Bulky items should be stored on slatted shelves.

ITEM 13. Cleaning and Bactericidal Treatment of Equipment and Utensils. All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single service containers shall be used only once.

All dishes, knives, forks, spoons, drinking glasses, cups, and other eating and drinking utensils shall be thoroughly washed and subjected to an approved bactericidal process after each usage. All multi-use utensils, such as mixing bowls, cream pumps, stock pots, and other utensils used in the preparation, cooking, or serving of food and drink shall be thoroughly cleaned and subjected to an approved bactericidal process immediately

after the day's operations. Drying cloths, if used, shall be kept clean, and shall be used for no other purpose.

The means of dishwashing shall consist of an approved dishwashing machine or a double vat sink of impervious material connected directly to the city sewer, or other approved sewer, in accordance with the North Carolina Building Code. For 100% single service, a one compartment sink may be accepted. Drain boards of sufficient size to adequately accommodate dishes shall be provided at each end of the sink or dishwashing machine. An approved means of heating an ample supply of running water shall be installed, and connections shall be made so that each vat may receive hot and cold water service. Where single service utensils are used exclusively a one compartment sink may be accepted.

Public Health Reason: Food cannot be kept clean and safe, if permitted to come in contact with containers, utensils, and equipment which have not been properly cleaned and given bactericidal treatment. The diseases which this item is intended to guard against are those in which the infective agent appears in the saliva, or other bodily discharges.

By approved bactericidal process is meant the application of any method or substance for the destruction of pathogens and all other organisms, so far as practicable, and which, in the opinion of the Health Officer, is effective and does not adversely affect the equipment, food, or drink, or the health of the consumer.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) (a) A double vat sink of impervious material, directly connected to the city sewer, or other approved outfall, is provided.

(b) Drain boards of sufficient size to accommodate the dishes are connected to and drain into the wash sink.

(c) Each vat is provided with hot and cold water service.

(d) An approved means of heating a sufficient supply of running water is provided.

(e) The dishwashing sink is not used for handwashing facilities.

(f) The wash sink is in good repair, of sufficient size and depth so that it can be used effectively, and is so constructed that no bad joints, seams, and not readily cleanable surfaces exist. If it is found that the volume of dishes used is too great to be properly washed in the wash sink provided, dishwashing machines of approved type and capacity shall be required to be installed and used for this purpose.

Experience has shown that light guage galvanized metal sinks, poorly constructed without regard to tight seams, rolled edges,

proper depths, drain plug fittings, back splash protection continuous with the sink and drain boards, and displaying other points of inferior workmanship, are undesirable and should not be accepted, because such types cannot be kept clean. Under no circumstances should wooden supported sinks be permitted. The area underneath sinks should be left open to avoid accumulations of slime, and the harboring of roaches.

(2) All equipment, including display cases and windows, counters, shelves, tables, meat blocks, refrigerators, stoves, and hoods are kept clean and free from dust, dirt, insects, and other contaminating material.

(3) All table cloths, napkins, and cloths used by waiters, chefs, and other employees, are clean.

(4) Single-service articles, such as paper cups, plates, straws, and milk bottle caps are used only once.

(5) All eating and drinking utensils, except single-service, are thoroughly cleaned after each usage, and all multi-use utensils used in the preparation, cooking, or serving of food and drink, are thoroughly cleaned following the day's operation, in such a manner as to be clean to the sight and touch.

The cleaning may be accomplished by the use of warm water 110° F. to 120° F., containing an adequate amount of an effective soap or detergent to remove grease and solids. The soapy wash water should be changed at sufficiently frequent intervals to keep it reasonably clean and up to the right temperature. Careful scraping, pre-rinsing, or soaking of dishes to remove the gross food particles before washing will make it possible to keep the wash water clean for a longer time between changes, and to maintain a sufficient concentration of the detergent.

(6) After cleaning, (i.e. cleaning to the sight and touch) all such utensils are effectively subjected to one or more of the following, or other equivalent approved bactericidal processes:

(a) Immersion for at least 2 minutes in clean, hot water at a temperature of at least 170° F., or for 1/2 minute in boiling water. Unless actually boiling water is used, an approved thermometer shall be available, convenient to the vat. The pouring of scalding water over washed utensils shall not be accepted as satisfactory compliance.

It is recommended that, wherever practicable, bactericidal treatment should be obtained through the use of hot water in the manner above described. For this method of bactericidal treatment, the second compartment of the wash sink may be used, unless a three-compartment vat is provided. If difficulty is experienced in obtaining clean-looking glasses, it is recommended that greater manual effort be applied, or that a more efficient washing compound be tried, or that the rinse water be changed

more frequently, or that a three-compartment vat be used. After washing, the glasses, dishes, etc., should be placed in metal baskets and immersed in the hot water for the required period of time. Baskets may be lined with wooden strips to prevent the marking of china-ware. Upon removal from the hot water, they should remain in the baskets on the drain board until dry, and then stored in such manner as not to become contaminated before being used again.

Where hot water is used for bactericidal treatment, there shall be provided a hot water heater (preferably controlled by a thermostat) capable of maintaining a water temperature of at least 170° F. in the vat at all times when the dishes are being washed. The heating device may be integral with the immersion vat. If the wash and rinse vats are correctly constructed, an approved heating device may be placed thereunder.

Care shall be taken in the bactericidal treatment of containers by immersion in hot water or chlorine rinse to prevent the trapping of air in the container, thus preventing contact with the entire surface of the container. This may be accomplished by placing all glasses, cups, plates, and saucers in a venting position so that air will not be trapped.

(b) Immersion for at least 2 minutes in a lukewarm *chlorine* rinse containing at least 50 p.p.m. of available chlorine, if hypochlorites are used, or a concentration of equal bactericidal strength if chloramines are used. The rinse should be made up at a strength of 100 p.p.m., or more of hypochlorites, and shall not be used after its strength has been reduced to 50 p.p.m.

Solutions made from compounds containing chloramine or chloramine-T have a slower bactericidal action than hypochlorites containing equal concentrations of available chlorine. The former must, therefore, be made up to a sufficiently greater strength to produce a bactericidal effect within the required exposure period equivalent to that of the above hypochlorite concentration. The chloramine and chloramine-T concentration necessary will vary with the different compounds.

Chlorine solutions once used shall not be re-used for bactericidal treatment on any succeeding day, but may be re-used for other purposes.

Where chlorine treatment is used, a three-compartment vat shall be required, the first compartment to be used for washing, the second for plain rinsing, the third for chlorine immersion; provided that for existing installations the second or rinsing compartment may be omitted, if a satisfactory rinsing or spraying device is substituted. This will prevent the excessive consumption of chlorine by organic matter and washing compound carried over from the washing compartment. The first basket of utensils will remain in the chlorine rinse for at least 2 minutes,

while the second basket is in the plain rinse, and the third basket is being washed. Upon removal from the chlorine rinse, the utensils may be rinsed in clean running water, if desired, and allowed to dry either in the basket, or inverted on a drain shelf or tray.

Silver and silver-plated tableware should not be treated with chlorine, as silver chlorides are formed which blacken the silver.

The Health Officer shall satisfy himself by frequent test that the chlorine rinse in actual use is of the required strength. The following test suitable for this purpose has been devised by the Sanitation Section of the United States Public Health Service:

The test for chlorine strength makes use of the fact that when the proper amount of o'tolidin is added to a chlorine solution containing 20 parts per million, or more, a precipitate is formed, except that in the case of certain chloramines the solution becomes cloudy at chlorine concentrations having a 2-minute bactericidal strength equivalent to at least the bactericidal strength of 20 parts per million of available chlorine in the form of hypochlorite.

The testing outfit consists of two test tubes 7/16 by 4 inches, one of which contains o'tolidin. (For composition of o'tolidin solution, see *Standard Methods of Water Analysis* published by the American Public Health Association). The other is fitted with a medicine dropper and is used for testing the chlorine solution. It is etched at the 2 cc and 5cc levels so as to make possible the dilution of the solution to be tested to two-fifths of its original strength, thus diluting an original solution of 50 parts per million or more to one of 20 parts per million or more, which, as above stated, is the critical point for the formation of the precipitate when hypochlorites are tested. Before any tests are made with the apparatus, the medicine dropper should be tested to determine whether it delivers drops of the proper size. To do this, simply count the number of drops required to fill to the first mark of the testing tube. If the number required lies between 30 and 50, the dropper is satisfactory. If not, discard it and secure one of the proper size.

The test procedure is as follows: Rinse the testing tube and its dropper thoroughly with clean water. Fill the testing tube to the lower mark with the chlorine solution to be tested, using the dropper for this purpose. Avoid including floating particles. Fill to the second mark with clean water, using the dropper for this purpose. Add 1 drop of o'tolidin. Hold the upper part of the testing tube firmly with one hand and tap the lower end of it sharply 50 times with one or two fingers of the other hand. If, in the case of hypochlorites, reddish or brownish particles separate out within 5 minutes, the solution tested contains at least 50 parts per million of available chlorine. If, in the case of

certain chloramines, the solution becomes cloudy within 5 minutes, the solution tested has a bactericidal strength for a 2-minute exposure equivalent to at least the bactericidal strength of 50 parts per million of available chlorine in the form of hypochlorite.

In order to determine whether a certain commercial preparation is strong enough for restaurant use when mixed as directed on the label, the inspector should mix a portion as directed, then dilute half and half, and test for 50 parts per million by means of the above-described test. If a precipitate appears, the directions upon the label result in a solution containing at least 100 parts per million in the form of hypochlorites or the bactericidal equivalent thereof, and may be approved. Otherwise, such larger quantity of the stock solution should be used as will give a satisfactory test.

(c) Exposure in a *steam cabinet* equipped with an indicating thermometer located in the coldest zone to at least 170° F. for at least 15 minutes, or to at least 200° F. for at least 5 minutes. For a discussion of steam cabinets, see item 14r of the U. S. Public Health Service Milk Code. Steam cabinets should be provided with a valve to permit the discharge of cold air when steam is admitted.

(d) Exposure in a properly designed oven or *hot-air cabinet* equipped with an indicating thermometer located in the coldest zone to hot air at a temperature of at least 180° F. for at least 20 minutes.

Equipment that is too large to immerse may be treated (1) with live steam from a hose, in the case of equipment in which steam can be confined, (2) by boiling water rinse, or (3) by spraying or swabbing with chlorine solution of approved strength.

Health officers should check with a thermometer the actual temperatures used in the methods which employ heat as the bactericidal agent. If washing machines are used, the temperatures of both the wash water and the rinse water should be checked to determine compliance. -

(e) A sufficient supply of glasses, dishes, cups, goblets, beer mugs, tableware, etc., is provided so that enough time is allowed for proper washing and bactericidal treatment of those that are being used.

(f) Drying cloths, if used, shall be clean, and shall be used for no other purpose. It is recommended that wherever possible utensils be permitted to drain dry without the use of drying cloths.

In washing machines, where strong alkalies and higher wash water temperatures may be used for cleansing a shorter exposure period for the final treatment may be employed. In such cases, the above standards for bactericidal treatment will not apply, and

the Health Officer should resort to other methods, such as the following, for determining actual results obtained:

Where bacteriological laboratory facilities are available, the following proposed standard procedure for bacteriological examination of cleansed and disinfected utensils, provisionally established by the Sub-committee on Standard Methods for the Examination of Dishwashing Devices of the American Public Health Association, is recommended:

(1) By the multiple spoon test. Ten spoons are placed in a pint jar containing 200 cc of sterile salt solution and agitated for 2 minutes.

(2) By the multiple glass test. Ten glasses are examined by passing a damp swab three times around the inside rim and three times around the outside rim of each glass, and the swab is agitated between the swabbing of each successive glass in a test tube containing 10 cc of salt solution. Thus the test tube contains the pooled washings from 10 glasses.

(3) By the multiple plate test. Ten plates are examined by passing a damp swab over a 4 square inch area of each plate and the swab is agitated between the swabbing of successive plates in 10 cc of sterile salt solution.

(4) The bacterial suspensions from the three foregoing types of utensils are plated in the usual manner and the number of organisms per utensil is thereby determined.

(5) The bacterial count should not exceed 500 organisms per utensil surface area examined. (More recent work indicates that a standard of 100 is readily attainable, and this standard is therefore recommended.)

ITEM 14. Storage and Handling of Utensils and Equipment. After bactericidal treatment, no utensil shall be stored except in a clean, dry place protected from flies, dust, or other contamination, and no utensil shall be handled except in such a manner as to prevent contamination, as far as practicable. Single-service utensils shall be purchased only in sanitary containers, and shall be stored therein in a clean, dry place until used.

Public Health Reason: If utensils and equipment are not protected from contamination, the value of bactericidal treatment may be nullified.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) All containers and utensils are stored above the floor in a clean, dry place protected from flies, splash, dust, and other contamination. Wherever practicable, containers and utensils shall be covered, or inverted, or stored in tight, clean cabinets. Towels, mats, or trays used on shelves, tables, or counters for glassware,

must be clean and dry. Glassware must be thoroughly dry before placing on such materials, or on other surfaces.

(2) Drain racks, trays, and shelves are made of not readily corrodible material, and are kept clean.

(3) Containers and utensils are not handled by the surfaces which come in contact with food or drink.

(4) Paper cups, plates, straws, etc., are purchased in sanitary cartons and stored therein in a clean, dry place until used, and after removal from the cartons, these articles are handled in a sanitary manner. Laundered cloths shall be stored in a clean place until used.

(5) Spoons, spatulas, dippers, etc., used for dispensing frozen desserts, are kept, when not in use, either in water maintained at 170° F., or in running water.

ITEM 15. *Disposal of Wastes.* *All wastes shall be properly disposed of, and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.*

Public Health Reason: All garbage, refuse, and liquid wastes, resulting from the normal operation of a restaurant, should be properly disposed of so as not to become a nuisance, or a public health menace. Garbage which is not stored in closed containers not only becomes a nuisance, but attracts flies, roaches, rats, and animals which may transmit filth and disease organisms to food for human consumption.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) All liquid wastes, resulting from the cleaning and rinsing of utensils and floors, from flush toilets, and from lavatories, are disposed of in a public sewer, or, in the absence of a public sewer, by a method approved by the State Board of Health.

(2) All plumbing complies with the State Plumbing Code, and is so designed and installed as to prevent contamination of the water supply through interconnections and back siphonage.

(3) All garbage is collected, stored, and protected from flies, rats, and animals in standard garbage cans which are covered with tight fitting lids while pending removal.

(4) All garbage, trash, obsolete and unnecessary articles, or other wastes, are removed from the premises as frequently as may be necessary to prevent nuisance and unsightliness, and are disposed of in an approved manner.

ITEM 16. *Refrigeration.* *All readily perishable food or drink shall be kept at or below 50° F., except when being prepared or served. Waste water from refrigeration equipment shall discharge into an open sink or drain, properly trapped and sewer*

connected, provided that where sewer connections are not available, clean, adequate, water-tight drip pans may be used.

Public Health Reason: Usually the bacteria in food are harmless, and if this were always true, there would be no reason to refrigerate food, except to prevent spoilage. There is, however, no way to be sure that pathogenic bacteria have not entered the food (even though the observance of the other items of these rules and regulations will much reduce this likelihood.) The likelihood of contracting disease may be increased when the food contains large numbers of disease producing organisms. For this reason, perishable foods should be kept cold so that any small number of disease producing bacteria which may have entered will not be permitted to multiply.

Satisfactory Compliance: This item shall be deemed to have been satisfied when:

(1) All perishable food or drink is kept at or below 50° F., except when being prepared or served. This shall include all cream-filled pastry.

(2) All ice used is stored and handled in such manner as to prevent contamination.

(3) All waste water from refrigeration equipment discharges into an open sink, drain, or sewer through an air break and trap; provided that where sewer connections are not available, clean, adequate, watertight drip pans may be used, or the drainage is disposed of in a manner approved by the State Board of Health.

ITEM 17. Milk and Milk Products. *Where available, "Grade A" milk products shall be used. The term "milk products" shall be construed to mean and include sweet milk, buttermilk, cultured buttermilk, cream, and chocolate milk. These products shall be served in the original containers in which they were received from the distributor, so that the name and grade of the contents, and the name of the producer or distributor may be readily observed by the consumers. Where two or more grades of milk are used, or found on the premises, for the purpose of scoring and rating, the lowest grade only shall be considered. Milk products shall be stored in a sanitary manner and shall be kept refrigerated, except when being served. Bottles shall not be completely submerged in water.*

Public Health Reason: Milk is nature's "most nearly perfect" food, but if not obtained and handled under approved conditions may become an important factor in the spread of disease. Therefore, ungraded milk supplies are always questionable. The safest milk is Grade A milk which meets all the requirements of the United States Public Health Service Milk Ordinance. The bottle cap informs the consumer of the grade of the contents.

Note: The purpose of this item is to prevent, insofar as practicable, exposing the milk to contamination from the time it is placed in the container at the dairy, or milk plant, until the time it is served to the final consumer. Contamination is more likely if milk is poured into glasses from bottles or other containers in the kitchen, where there is more opportunity for carelessness and consequent contamination, than it is if served in the original container, because the transferring is done out of sight of the customer. When served in the original container, the consumer is informed of the grade of milk being served.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) All milk and milk products served or used for cooking, or any other purpose, are of the highest grade available. (The Health Officer should strongly recommend only those products which are Grade "A" pasteurized, if available, in the community.)

(2) All milk and milk products are served in the original containers in which they were received from the distributor.

(3) An exception may be made in the case of cream served with coffee, cereals, etc., as the distributor cannot deliver cream in the unit sizes that would be required. For such service, the Health Officer may permit transferring to individual service units from the original bottle, or from pumps, or other approved dispensers. The mixing of cream and milk, or the pouring of either into jars, bottles, or other containers for storage therein, shall be prohibited. (See Section 10, U. S. Public Health Service Milk Ordinance.)

(4) No milk is stored completely submerged under water.

ITEM 18. Wholesomeness of Food. *All food shall be wholesome and free from spoilage. Food that is spoiled, or unfit for human consumption, shall not be kept on the premises.*

Public Health Reason: Food that is spoiled, adulterated, or otherwise unwholesome, should not be served.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) All food is free from harmful adulteration, and is wholesome for human consumption.

(2) All food is handled and served in such a manner as to prevent adulteration and spoilage.

(3) All foods that are spoiled, or otherwise unfit for human consumption, are placed in garbage cans, or not allowed to remain on the premises.

ITEM 19. Source of Shellfish. *Any restaurant serving oysters, clams, or crabmeat shall secure the same from establish-*

ments approved by the State Board of Health, or the United States Public Health Service.

Public Health Reason: Shellfish secured from unapproved establishments may be a direct source of disease, and, therefore, become a public health hazard.

Satisfactory Compliance: This section shall be deemed to have been satisfied if:

(1) All oysters, clams, mussels, and crabmeat are from a source approved by the State Board of Health, provided that if the source is outside the state, the shipper's name shall be on the approved list issued by the United States Public Health Service.

(2) Shell oysters and clams are stored in a clean, well drained room or bin provided especially for that purpose. If in bags, boxes, or barrels, the container bears a standard identification tag on which appears the name, address, and permit number of the shipper.

(3) Shucked oysters, clams, and picked crabmeat are stored in the original shipping container on which appears the shipper's permit number preceded by the state abbreviation.

(4) All oysters, clams, and crabmeat are stored under such temperatures and physical conditions as will preserve the safety and wholesomeness of the product. A temperature of less than 50° F. is necessary to properly preserve shucked shellfish.

ITEM 20. Re-serving of Food. Portions of food once served to customers shall not be served again.

Public Health Reason: Portions of food served to customers may be infected with disease organisms through handling, sneezing, and coughing, etc., thereby enabling it to transmit the infection to individuals to whom it is subsequently served.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) No part or parts of any food previously served to a customer is again served in any form to other customers.

(2) It should be understood that this requirement includes the remaining portions of crackers, cream, bread, slaw, unused salads, butter, jellies, and all other foods which are not served in tightly covered dispensers, or any parts of other foods that have been served as a part of a meal, and with which there has been possible contact.

ITEM 21. Storage, Handling, and Display of Food. All food shall be so stored, handled, and displayed as to be protected from dust, flies, vermin, handling, droplet infection, overhead leakage, and other contamination. No animals or fowls shall be kept or

allowed in any room in which food is prepared or stored. All means necessary for the elimination of flies, rats, and roaches shall be used.

Public Health Reason: Food that is not stored, prepared, displayed, and handled in a sanitary manner so as to protect it from contamination, may become a public health hazard. Rats, flies and roaches are carriers of filth and disease producing organisms.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) All food and drink are stored in such manner as to be protected from dust, flies, vermin, handling, droplet infection, overhead leakage, sewage back flow, and other contamination. Evidence of the presence of rodents, roaches, ants, or other vermin shall be considered as violating this item.

(2) All unwrapped or unenclosed food and drink on display are protected by glass, or otherwise, from public handling or other contamination, except that approved hand-openings may be permitted on counter fronts.

(3) Dustless methods of floor cleaning are used, and all except emergency floor cleaning is done during those periods when the least amount of food and drink is exposed, such as after closing, or between meals.

(4) No animals or fowls are kept or allowed in any room in which food or drink is prepared or stored.

(5) All supplementary means necessary for the elimination of flies, such as fly-repellant fans, fly-paper, or fly and roach killing sprays and powders, are employed.

(6) All foods, except raw vegetables, which are to be cooked are kept under cover at all times when not in the process of preparation and serving.

(7) All surfaces upon which food is prepared are constructed of impervious material, such as stainless steel, galvanized metal, zinc, marble slabs, or tight wood in which there are no open cracks or bad joints that may collect food particles and slime.

(8) No food is stored in direct contact with ice.

(9) No meat or perishable food is stored on the floor, or in direct contact with shelves and racks of cold storage boxes.

(10) Open dishes and pans containing food are not stacked in contact with each other.

(11) All sugar bowls, mustard, slaw, and onion containers have covers and are kept covered when not in use.

(12) No food is permitted to come in contact with dirty clothes, newspapers, pasteboard, or other contaminated surfaces. Special attention is directed to bread which is permitted to contact the outer surface of the wrapper.

(13) No food transported to a restaurant shall be received, used, or accepted unless such food is properly wrapped, covered or handled so that it is not exposed to dust, dirt, flies, hands of truck drivers, insanitary containers, or other sources of contamination.

(14) Waiters and waitresses avoid unnecessary handling of butter, pies, and other cooked foods in the process of serving.

(15) All barbecue served is prepared and handled in an approved manner, or secured from an approved source which shall meet the following requirements:

(a) Barbecue pits shall be enclosed and protected from the weather, dust, flies, and animals, and shall be kept clean and free of garbage, rubbish, and other contaminating substances.

(b) Floors shall be constructed of smooth concrete, or equal, and graded to drain.

(c) Light and ventilation shall be ample to promote cleanliness.

(d) Barbecue may be chopped and handled in the kitchen, or in any room meeting the requirements of sanitation specified for kitchens and the sanitary handling of food therein.

Cutting or chopping of barbecue in an outside pit room shall be prohibited.

ITEM 22. Health Certificates. The management shall keep on file a medical certificate given by a physician or health officer for every cook, waiter, dish washer, or handler of food or drink employed in the restaurant, showing that the employee is free from tuberculosis, syphilis, gonorrhea, skin diseases, and is not a typhoid carrier. Such certificate shall have been issued within twelve months of the date of inspection. A permit from the health officer shall be required before any employee begins work. Certificates issued by private physicians shall be presented to the health officer before such permit to work shall be issued.

Public Health Reason: One of the most frequent sources of infection is the presence of disease organisms in the bodily discharges of food handlers. Persons having infectious or contagious diseases may transmit the disease organisms to the public through handling the utensils, equipment, tableware, and food or drink.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) No employees who have contagious or infectious diseases are allowed to work in the cafe or dining room.

(2) All employees have been examined by a private physician or health officer during the past 12 months, and have a permit from the health officer.

(3) The management has on file a medical certificate given by a physician or health officer for every cook, waiter, or food handler employed in the restaurant, certifying that the servant was free from tuberculosis, syphilis, gonorrhea, skin disease, and was not a typhoid carrier at the time of examination.

(4) All health certificates were issued within 12 months of the date of inspection.

ITEM 23. Cleanliness of Employees. All employees shall wear clean outer garments and shall keep their hands clean at all times while handling food, drink, utensils, or equipment.

Public Health Reason: Clean clothing and clean hands reduce the likelihood of contaminating food, drink, and utensils during handling.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) The outer garments of all persons, including dish washers, engaged in handling food or utensils, are reasonably clean and are used for no purpose other than restaurant duty.

(2) The hands of all employees handling food, drink, or utensils are kept clean and are washed before beginning work, and after each visit to the toilet.

(3) Cooks and other kitchen help wear clean white caps and coats, or other special dress when on duty.

(4) Waiters and waitresses wear clean white coats or special dress (uniforms) when on duty.

ITEM 24. Miscellaneous. All waste material, obsolete and unnecessary articles, tin cans, rubbish and other litter shall not be permitted to accumulate on the premises of the restaurant. Cisterns or other receptacles containing standing water shall be kept tightly covered or screened. There shall be no fly and mosquito breeding places, nor rat harborages, hog pens, or undrained areas on the premises. The surroundings of all restaurants shall be maintained in a neat, orderly, and sanitary condition.

None of the operations connected with a restaurant shall be conducted in any room used for domestic purposes. Soiled linens,

coats, and aprons shall be kept in containers provided for this purpose.

No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of eating or cooking utensils.

Public Health Reason: The premises of all restaurants must be maintained in a neat, orderly, and cleanly manner so that there will be no breeding places for flies and mosquitoes, and no harboring places for rats and other animals. Such premises, properly maintained, not only add to the attractiveness of the area, but eliminate the presence of many public health hazards.

Satisfactory Compliance: This item shall be deemed to have been satisfied if:

(1) Rubbish, tin cans, discarded equipment, and accumulations of filth and trash are not allowed to accumulate on the premises of the restaurant.

(2) There are no standing pools or bogs.

(3) All drainage ditches on the premises are kept cleaned so that stagnant water will not stand therein.

(4) No fly breeding places nor rat harborages are found to exist.

(5) All cisterns, tanks, and other receptacles containing standing water are screened or otherwise covered to prevent the entrance of flies, mosquitoes, and other insects.

(6) The surroundings of the restaurant are maintained in a neat, orderly, and sanitary condition.

SECTION 7. Notification of Disease. Notice shall be sent to the Health Officer immediately by the restaurant manager, or by the employee concerned, if he or any employee contracts any infectious, contagious, or communicable disease, or has a fever, a skin eruption, a cough lasting more than 3 weeks, or any other suspicious symptom. It shall be the duty of any such employee to notify the restaurant manager immediately when any of said conditions obtain, and if neither the manager nor the employee concerned notifies the Health Officer immediately when any of said conditions obtain, they shall be held jointly and severally to have violated this section. A placard containing this section shall be posted in all toilet rooms used by employees, or dressing rooms or kitchens.

SECTION 8. Procedure When Infection Suspected. When suspicion arises as to the possibility of transmission of infection from any restaurant employee, the Health Officer is authorized to require any or all of the following measures: (1) the im-

mediate exclusion of the employee from all restaurants; (2) the immediate closing of the restaurant concerned until no further danger of disease outbreak exists, in the opinion of the Health Officer; (3) adequate medical examinations of the employee and of his associates, with such laboratory examinations as may be indicated.

The foregoing rules and regulations and code in regard to restaurants were adopted at a meeting of the State Board of Health, May 21, 1941, at Pinehurst, North Carolina.

CARL V. REYNOLDS, M.D.
Secretary and State Health Officer
State Board of Health
Raleigh, N. C.

PERSONNEL REVUE BEFORE GOING ON DUTY

MEMORIZE MENU

MEMORIZE MENU



COMB HAIR NEATLY
BRUSH TEETH
BE READY TO SMILE
SPEAK PLEASANTLY
HAVE CLEAN SHAVE
WEAR CLEAN COLLAR
WEAR CLEAN SHIRT
TIE TIE NEATLY
NO D.O.
CARRY TOWELS OVER
ARM NOT UNDER ARM
WASH HANDS CLEAN
AND MANICURE NAILS
WEAR CLEAN UNIFORMS
CREASE TROUSERS
HAVE SHOES SHINED
WEAR RUBBER HEELS



COMB HAIR NEATLY
BRUSH TEETH
BE READY TO SMILE
SPEAK PLEASANTLY
USE LIPSTICK AND
ROUGE SPARINGLY
WEAR STARCHED
COLLARS AND COFFS
NO B.O.
CARRY CLEAN TOWELS
OVER FOREARM - NOT
UNDER ARM
WEAR CLEAN APRONS
WASH HANDS CLEAN
AND MANICURE NAILS
WEAR CLEAN UNIFORMS
WEAR RUBBER HEELS
HAVE SHOES SHINED

NOTE: TWENTY PER CENT OF
OUR SUCCESS DEPENDS UPON NEAT,
CLEAN, AND EFFICIENT EMPLOYEES.

ON DUTY

GIVE THE CUSTOMER IMMEDIATE AND
INDIVIDUAL ATTENTION. HAND HIM A
MENU AND A GLASS OF WATER
THIS WAY  NOT THIS WAY 

AVOID TOUCHING OUTSIDE OF DRINKING
CUPS OR GLASSES AROUND THE TOP.
GIVE QUICK, POLITE, AND SILENT SERVICE -
SATISFY THE CUSTOMER IN HIS OWN WAY.

PLEASE THE CUSTOMER - DEVELOP
YOUR PERSONALITY - SELL HEALTHY -

EXCEL

DON'T SMOKE ON DUTY. DON'T READ ON
DUTY. DON'T EAT ON DUTY.
DON'T PICK TEETH ON DUTY.

DON'T BE A SMARTIE.
DON'T PRIMP BEFORE CUSTOMERS.
DON'T HINT FOR A TIP. DON'T BE
INDIFFERENT. DON'T CHEW GUM ON DUTY.
DON'T LEAN OVER SHOULDERS OF
CUSTOMERS WHEN TAKING ORDERS.
WHEN PATRONS ASK FOR WATER,
BREAD, AND BUTTER, IT IS EVIDENT
YOU HAVE NOT BEEN ON THE JOB.

BE ALERT AND OBSERVING
SILVERWARE AND DISHES ARE SPOTLESS.
KEEP WALLS, CEILINGS, FLOORS & WINDOWS
CLEAN. KEEP FLIES OUT. DON'T TOLERATE
FILTH NEAR FOOD. KEEP TOILETS & WASH
ROOMS IMMACULATELY CLEAN AND
SUPPLIED WITH INDIVIDUAL TOWELS, SOAP &
TOILET PAPER.

LAST YEAR - IMPROPER
SERVICE COST MILLIONS OF DOLLARS IN
OUR BUSINESS.

IN THE KITCHEN

ALTHOUGH BEHIND SWINGING DOORS
MAINTAIN THE SAME HIGH
STANDARDS. KEEP GARBAGE
IN COVERED METAL CAN.
KEEP STORAGE ROOMS & PANTRY
CLEAN. INVITE THE PUBLIC TO
INSPECT YOUR KITCHEN.



ISSUED BY THE
STATE BOARD OF HEALTH
RALEIGH, N.C.


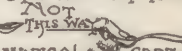
SERVE GRADE - A - MILK ONLY

IN BOTTLE WITH CAP BESIDE GLASS
ON SHOWING GRADE OR TRAY.

THIS WAY 
DO NOT
SERVE MILK
IN OPEN GLASSES THIS WAY - THE
GREATER CARE SHOWN TO PROTECT PATRONS HEALTH
THE GREATER WILL BE THEIR APPRECIATION.

MAKE CLEANLINESS A HABIT

"IF YOU HAVE TO COUGH OR SNEEZE
DO IT BEHIND YOUR
HANDKERCHIEF PLEASE."

CULTIVATE CLEAN HABITS.
NEVER FINGER THE
NOSTRILS OR OTHER PARTS
OF THE BODY - SUCH HABITS
ARE INEXCUSABLE. WASH
HANDS CLEAN UPON RETURN -
TAG FROM REST ROOMS, AND
EACH AND EVERY TIME ON RETURNING TO
DUTY. DON'T TOUCH INSIDE OF DISHES,
CUPS OR GLASSES WITH HANDS. DON'T
TOUCH FOOD WITH BARE HANDS. DON'T
SERVE SOILED KNIVES, FORKS, SPOONS
OR DISHES. HANDLE UTENSILS BY THE
HANDLE - NOT THIS WAY  THIS WAY 


FINALLY - FILE A MEDICAL CERTIFICATE WITH THE MANAGEMENT, BEGINNING
WITH EMPLOYMENT, AND AT LEAST ANNUALLY
THEREAFTER, SHOWING FREEDOM FROM T.B.
SYPHILIS & CONTAGIOUS & INFECTIOUS DISEASE
AND THAT YOU ARE NOT A TYPHOID CARRIER.

SUCCESS

BE A MODEL IN YOUR LINE.
INSURE AN ATMOSPHERE
CUSTOMERS FIND A PLEASURE
BRINGING THOUSANDS
OF DOLLARS TO THE
DESERVING BUSINESS.





Gaylord 

PAMPHLET BINDER

Syracuse, N. Y.

Stockton, Calif.

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